

1 **THE URBAN LAW FIRM**

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10 *Counsel for Plaintiffs Laborers Joint Trust Funds*

11 **UNITED STATES DISTRICT COURT**

12 **DISTRICT OF NEVADA**

13 THE BOARD OF TRUSTEES OF THE
14 CONSTRUCTION INDUSTRY AND
15 LABORERS HEALTH AND WELFARE
16 TRUST; THE BOARD OF TRUSTEES OF
17 THE CONSTRUCTION INDUSTRY AND
18 LABORERS JOINT PENSION TRUST; THE
19 BOARD OF TRUSTEES OF THE
20 CONSTRUCTION INDUSTRY AND
21 LABORERS VACATION TRUST; THE
22 BOARD OF TRUSTEES OF SOUTHERN
23 NEVADA LABORERS LOCAL 872
24 TRAINING TRUST,

25 Plaintiff,

26 vs.

27 VETERANS SOUTHWEST INDUSTRIES
28 INC., *a/k/a* VETERANS SOUTHWEST
MAINTENANCE,

29 Defendants.

30 CASE NO.: 2:16-cv-00093-JCM-PAL

31 APPLICATION FOR JUDGMENT
32 DEBTOR EXAMINATION OF STANLEY
33 WASHINGTON, REPRESENTATIVE OF
34 DEFENDANT

35 Plaintiffs BOARD OF TRUSTEES OF THE CONSTRUCTION INDUSTRY AND LABORERS
36 HEALTH AND WELFARE TRUST; BOARD OF TRUSTEES OF THE CONSTRUCTION
37 INDUSTRY AND LABORERS JOINT PENSION TRUST; BOARD OF TRUSTEES OF THE
38 CONSTRUCTION INDUSTRY AND LABORERS VACATION TRUST; AND THE BOARD OF
39 TRUSTEES OF THE SOUTHERN NEVADA LABORERS LOCAL 872 TRAINING TRUST,
40 (hereinafter “Plaintiffs”), by and through its attorney of record, Seth T. Floyd, Esq. of THE URBAN
41 LAW FIRM, and pursuant to Rule 69 of the Federal Rules of Civil Procedure, hereby moves this Court
42 for an Order directing the appearance of STANLEY WASHINGTON, Vice President and representative

1 of Defendant/Judgment Debtor Veterans Southwest Industries Inc., *a/k/a* Veterans Southwest
2 Maintenance, and an Order directing the production of certain documents subject to his control.

3 This application is supported by the Declaration of Seth T. Floyd and the proposed Order filed
4 herewith (“Declaration”). As indicated in the paragraph 6 of the Declaration, Mr. Washington is an
5 individual believed to reside in Clark County, Nevada.

6
7 Dated: January 30, 2017

THE URBAN LAW FIRM

8
9 */s/ Seth T. Floyd*
10 MICHAEL A. URBAN, Nevada State Bar No. 3875
11 NATHAN R. RING, Nevada State Bar No. 12078
12 SETH T. FLOYD, Nevada State Bar No. 11959
13 4270 S. Decatur Blvd. Suite A-9
14 Las Vegas, NV 89103
15 (702) 968-8087
16 *Counsel for Plaintiffs Laborers Joint Trust Funds*

1 **MEMORANDUM OF POINTS AND AUTHORITIES**

2 Rule 69 of the Federal Rules of Civil Procedure allows a Judgment Creditor to enforce a judgment
3 through supplementary proceedings, including discovery from the Judgment Debtor.

4 On January 15, 2016, Case No. 2:15-ms-00073 was converted to civil docket case number 2:16-
5 cv-00093.

6 Judgment was entered on December 5, 2016, in Case No. 2:15-ms-00073, in favor of Plaintiffs
7 and against Defendant Veterans Southwest Maintenance, in the amount of \$8,754.16.

8 Said judgment has not been vacated or reversed. The current balance due on the judgment is
9 \$8,754.16 exclusive of interest, and it remains owing and unpaid. There is no stay of execution and
10 execution may properly be issued.

11 Stanley Washington ("hereinafter referred to as "Mr. Washington"), as a representative of
12 Veterans Southwest Maintenance entered into a settlement agreement in which he agreed to be liable for
13 payment of the debt owed by the debtor. A judgment debtor examination of Mr. Washington is necessary
14 to enable Judgment Creditor to discover the assets, real and personal property, current employment, etc.,
15 and any facts relating thereto, which may assist Judgment Debtor in obtaining satisfaction of the
16 Judgment.

17 WHEREFORE, pursuant to FRCP 69, Judgment Creditor respectfully requests that this Court
18 issue an Order scheduling a judgment debtor examination of Stanley Washington.

19
20 DATED: January 30, 2017

THE URBAN LAW FIRM

21 /s/ Seth T. Floyd
22 MICHAEL A. URBAN, Nevada State Bar No. 3875
23 NATHAN R. RING, Nevada State Bar No. 12078
24 SETH T. FLOYD, Nevada State Bar No. 11959
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25 Plaintiff,

26 vs.

27 VETERANS SOUTHWEST INDUSTRIES
28 INC., *a/k/a* VETERANS SOUTHWEST
29 MAINTENANCE,

30 Defendants.

31 CASE NO.: 2:16-cv-00093-JCM-PAL

32 DECLARATION OF SETH T. FLOYD IN
33 SUPPORT OF APPLICATION FOR
34 JUDGMENT DEBTOR EXAMINATION
35 OF STANLEY WASHINGTON,
36 REPRESENTATIVE OF DEFENDANT

37 I, SETH T. FLOYD, declare:

38 1. I am a member of the Bar of this Court and attorney of record for the Judgment
39 Creditors in the above-entitled action.

40 2. Stanley Washington (hereinafter referred to as "Mr. Washington"), as a representative
41 of Veterans Southwest Maintenance *a/k/a* Veterans Southwest Maintenance (hereinafter referred to as
42 "VSM") entered into a settlement agreement in which he agreed to be liable for payment of the debt
43 owed by VSM.

3. On January 15, 2016, Case No. 2:15-ms-00073 was converted to civil docket case number 2:16-cv-00093.

4. Judgment was entered on December 5, 2016, in Case No. 2:15-ms-00073, in favor of Plaintiffs and against Defendant VSM, in the amount of \$8,754.16.

5. Said judgment has not been vacated or reversed. The current balance due on the judgment is \$8,754.16, exclusive of interest, remains owing and unpaid. There is no stay of execution and execution may properly be issued.

6. Based on Clark County property records and records available from the Nevada Secretary of State, Mr. Washington is an individual believed to reside in Clark County, Nevada.

7. An Order scheduling an examination of Mr. Washington and requiring production of documents by Mr. Washington is necessary to pursue collection of the judgment. No prior examination has been conducted.

8. I estimate the time for the examination in this matter will be approximately three hours. The subject of this examination will be the location and identification of all assets of Mr. Washington, and all debts and obligations owed to Mr. Washington. In addition to the appearance of Mr. Washington, the current financial statements and records and recent past financial statements and records of Mr. Washington are necessary for a complete examination to be conducted.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct, and that this declaration was executed on January 30, 2017, in Las Vegas, Nevada.

/s/ Seth T. Floyd
SETH T. FLOYD

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29 MAINTENANCE,

30 Defendants.

31 CASE NO: 2:16-cv-00093-JCM-PAL

32 (Proposed)
33 ORDER FOR JUDGMENT DEBTOR
34 EXAMINATION OF STANLEY
35 WASHINGTON, REPRESENTATIVE OF
36 DEFENDANT

37 Having considered Plaintiffs' Application for Judgment Debtor Examination of STANLEY
38 WASHINGTON, representative of Defendant/Judgment Debtor Veterans Southwest Industries Inc.,
39 *a/k/a* Veterans Southwest Maintenance and the Declaration of Seth T. Floyd and good cause appearing,

40 **IT IS HEREBY ORDERED** that Stanley Washington, appear in Courtroom 3B at the United
41 States District Courthouse for the District of Nevada, located at 333 Las Vegas Blvd. South, Las Vegas,
42 Nevada 89101, on the 14th day of March, 2017, at 9:15 a.m., to be sworn in for a Judgment Debtor
43 Examination.

1 **IT IS FURTHER ORDERED** that Stanley Washington, appear at The Urban Law Firm,
2 located at 4270 South Decatur Blvd., Suite A-9, Las Vegas, Nevada 89103 on the 14th day of
3 March, 2017, at 10:00 a.m., and answer concerning property subject to the ownership and
4 control of Stanley Washington (hereinafter referred to as “Mr. Washington”).

5 **IT IS FURTHER ORDERED** that Mr. Washington brings with him the following documents
6 under his control or under the control of his agents, attorneys or accountants:

7 a. All financial statements prepared by or on behalf of Mr. Washington from January 1,
8 2014, to the present.

9 b. All original monthly bank statements of Mr. Washington from January 1, 2014, to the
10 present.

11 c. All original savings account pass books, certificates of deposit, and trust certificates in
12 the name of Mr. Washington January 1, 2014, to the present.

13 d. All canceled checks drawn on any account established in the name of Mr. Washington
14 from January 1, 2014, to the present.

15 e. All original negotiable instruments and negotiable securities in the name of Mr.
16 Washington from January 1, 2014, to the present.

17 f. All evidence or other memoranda of any ownership interest of Mr. Washington in any
18 corporation, partnership, unincorporated association or any business organized or conducted for the
19 production of income from January 1, 2014, to the present.

20 g. All evidence or other memoranda of any income received by Mr. Washington January 1,
21 2014, to the present, to include but not limited to tax returns, insurance proceeds, or repayment of
22 loans.

23 h. All evidence or other memoranda of any employer, or place of work or employment of
24 Mr. Washington from January 1, 2014, to the present, including but not limited to contracts, invoices,
25 billings, vouchers or payments.

1 i. All evidence of any ownership interest of Mr. Washington to include but not limited to,
2 bills of sale, pink slips or any other record or title, in any motor vehicle, airplane, boat, equipment or
3 machinery, from January 1, 2014, to the present.

4 j. All evidence of any debts or repayments owed by Mr. Washington to include but not
5 limited to, those arising from loans or judgments from January 1, 2014, to the present.

6 k. Any and all evidence or other memoranda indicating that Mr. Washington was either a
7 plaintiff or a defendant in any lawsuit from January 1, 2014, to the present.

8 l. Any and all evidence or memoranda indicating that Mr. Washington received any
9 judgment, award, bequest or devise in any lawsuit or other court action from January 1, 2014, to the
10 present.

11 m. Any and all evidence or memoranda indicating any ownership interest of Mr.
12 Washington in any patent, invention, trade name, or copyright.

13 n. Any and all evidence or memoranda indicating an ownership interest of Mr. Washington
14 in any real property or developments on real property.

15 o. Any and all evidence of the sale(s) of any real or personal property of Mr. Washington
16 from January 1, 2014, to the present.

17 p. Any and all loan applications filled out by Mr. Washington since January 1, 2014.

18 q. Copies of all documents evidencing the sale or transfer of any assets of Mr. Washington
19 from January 1, 2014, to the present.

20 r. Any and all documents evidencing any federal or State tax liability of Mr. Washington.

21 s. Original cash disbursement journals and/or check registers maintained in connection
22 with any business of Mr. Washington from January 1, 2014, to the present.

23 t. Federal income tax returns of Mr. Washington for the year 2014 to the present.

24 **IT IS FURTHER ORDERED** that a copy of this Order shall be served upon STANLEY
25 WASHINGTON at least 14 calendar days before the hearing.
26
27
28

NOTICE TO JUDGMENT DEBTOR

IF YOU FAIL TO APPEAR AT THE TIME AND PLACE SPECIFIED IN THIS ORDER, YOU MAY BE SUBJECT TO ARREST AND PUNISHMENT FOR CONTEMPT OF COURT AND THE COURT MAY MAKE AN ORDER REQUIRING YOU TO PAY REASONABLE ATTORNEY'S FEES INCURRED BY THE JUDGMENT CREDITORS IN THIS PROCEEDING.

Dated this 1st day of February, 2017.

By: Terry A. Teer
UNITED STATES JUDGE

Submitted by:

THE URBAN LAW FIRM

By: /s/ Seth T. Floyd
MICHAEL A. URBAN, Nevada State Bar No. 3875
NATHAN R. RING, Nevada State Bar No. 12078
SETH T. FLOYD, Nevada State Bar No. 11959
Counsel for Plaintiffs Laborers Joint Trust Funds